

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MICHAEL B. JOHNSON,
on behalf of himself and on behalf of those
similarly situated plaintiffs,

Plaintiffs,

vs.

PUSHPIN HOLDINGS, LLC, JAY COHEN,
LEONARD MEZEI, ARI R. MADOFF,
ALISHA ROSS, LOUISA TATBAK,
SHAUN REDWOOD, GCN HOLDING,
LLC, and CIT FINANCIAL USA, INC.,

Defendants.

Case No. 2013-cv-7468 (CPK) (YBK)

**CORRECTED MOTION FOR ENTRY OF SEPARATE JUDGMENT DOCUMENT
PURSUANT TO FED.R.CIV.P. 58**

Defendants, PUSHPIN HOLDINGS, LLC (“Pushpin”), JAY COHEN (“Cohen”), LEONARD MEZEI, ARI R. MADOFF, ALISHA ROSS, LOUISA TATBAK, SHAUN REDWOOD, GCN HOLDING, LLC and CIT FINANCIAL USA, INC. (collectively, the “Pushpin Defendants”), by and through their attorneys, Moses and Singer LLP and Levenfeld Pearlstein, LLC, respectfully move this Court for entry of a separate document setting out judgment in favor of Defendants pursuant to Fed.R.Civ.P. 58 and state as follows:

1. On March 23, 2015, this Court entered a Memorandum Opinion denying all relief requested by Plaintiffs and dismissing the lawsuit in its entirety. (Dkt. 105). On August 6, 2015, after briefing on a Motion to Reconsider, this Court issued a Memorandum Opinion denying the Motion to Reconsider. (Dkt. 124).

2. Fed.R.Civ.P. 58(a) provides that “[e]very judgment and amended judgment must be set out in a separate document...” A separate document, however, is not required for an order disposing of a Fed.R.Civ.P. 59 motion to reconsider. *Id.*

3. In the instant matter, and pursuant to Fed.R.Civ.P.58(b)(1)(C), the Clerk of the Court has not yet entered a separate judgment as a result of the March 23, 2015 Memorandum Opinion (Dkt. 105) denying all relief requested by Plaintiffs and disposing of this lawsuit in its entirety.

4. Pursuant to Fed.R.Civ.P. 58(d), Defendants respectfully request “entry of a judgment set out in a separate document as required by Rule 58(a).”

WHEREFORE, Defendants respectfully request: (a) that this Court direct the Clerk to enter judgment in favor of Defendants in a separate document in light of the March 23, 2015 Memorandum Opinion (Dkt. 105) denying all relief requested by Plaintiffs and granting dismissal of this lawsuit in its entirety and (b) any other relief justified under the circumstances.

Dated: August 11, 2015

Respectfully submitted,

By: /s/Jason B. Hirsh

Gary Blackman (ARDC #6187914)
Jason Hirsh (ARDC # 6283094)
Levenfeld Pearlstein, LLC
2 N. LaSalle St., Suite 1300
Chicago, Illinois 60602

Scott E. Silberfein (admitted *pro hac vice*)
John Baranello (admitted *pro hac vice*)
Moses & Singer LLP
405 Lexington Avenue
New York, New York 10174-1299

Attorneys for Defendants

CERTIFICATE OF SERVICE

I, Jason B. Hirsh, an attorney, hereby certify that on August 11, 2015, I electronically filed this **Corrected Motion for Entry of Separate Judgment Document Pursuant to Fed.R.Civ.P. 58** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorneys of record.

David M. Duree, Esq.
David M. Duree & Associates, P.C.
312 South Lincoln Avenue
P.O. Box 1416
O'Fallon, IL 62269

Stacy Bardo, Esq.
The Consumer Advocacy Center, PC
180 West Washington
Suite 700
Chicago, IL 60602

/s/ Jason Hirsh
JASON B. HIRSH